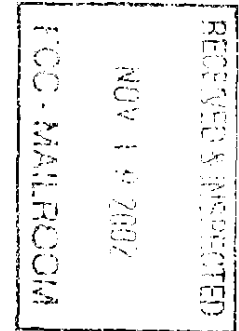


**Federal Communications Commission
Washington, D.C. 20554**

November 7, 2002

Linda Crawford
3500 Maple Avenue. #1320
Dallas, Texas 75219



Re Petition for Rule Making
Crosbyton, Texas, Channel 235C2

Dear Ms. Crawford:

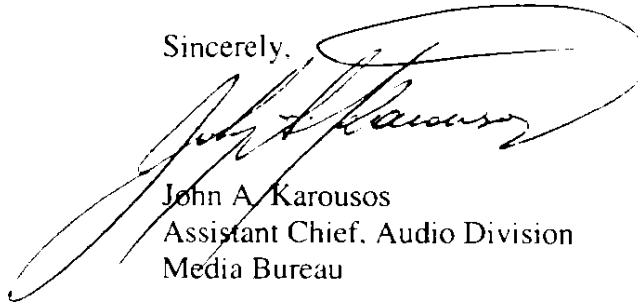
This letter is in response to the Petition for Rule Making that you filed, requesting the allotment of FM Channel 235C2 at Crosbyton, Texas, as that community's first local aural broadcast service.

Your request for the allotment of Channel 235C2 at Crosbyton, Texas, is unacceptable. Our engineering analysis indicates that the site that you specify in your proposal (33-33-12 NL and 101-00-00 WL) is short-spaced to an alternate channel suggested in an earlier, cut-off rulemaking proceeding. Specifically, your proposed site for Channel 235C2 at Crosbyton is 82.7 kilometers short-spaced to the reference coordinates of 32-42-35 and 101-005-36 for Channel 235C3 at Snyder, Texas, in MM Docket No. 01-144. Channel 235C3 was suggested for allotment to Snyder in lieu of Channel 237C3 to resolve a conflict between two mutually exclusive proposals in MM Docket 01-144. Further, Channel 235C3 at Snyder was proposed by one of the parties to MM Pockel 01-144 on August 27, 2001, the counterproposal deadline in that proceeding. Since your proposal to allot Channel 235C2 at Crosbyton was filed after the counterproposal deadline in MM Docket No. 01-144, it was not timely filed to be considered in that proceeding. See Section 1.420(d) of the Commission's Rules and the cut-off procedures set forth in the Appendix to the *Notice of Proposed Rule Making* in MM Docket No. 01-144, 16 FCC Rcd 13167.

Further, it is well established that the Commission may use alternate channels to resolve conflicts between mutually exclusive proposals and that "[p]arties contemplating the filing of a petition for rule making that may conflict with an alternate channel for the original community or a community that may be specified in a counterproposal must do so by the comment date in order to have their proposal considered as part of that proceeding." *Pinewood, South Carolina*, 5 FCC Rcd 7609, 7610 (Comm. 1990). This approach is especially warranted in a situation such as the present one where the alternate channel was proposed by one of the parties by the comment deadline, instead of discovered by the staff through its own engineering analysis, and the conflicting rulemaking petition was filed after both the comment deadline and the date that the party suggested the alternate channel.

Based on the above, we are returning your proposal for Crosbyton. You may resubmit the petition, provided that you make a showing that a fully-spaced transmitter site is available that provides city grade coverage to the entire community.

Sincerely,

A handwritten signature in black ink, appearing to read "John A. Karousos", is written over the typed name and title. The signature is fluid and cursive, with a large loop at the end.

John A. Karousos
Assistant Chief, Audio Division
Media Bureau

Enclosure

REC'D
ALLO

To: John Karousos, Chief
Allocations Branch
Mass Media Bureau

PETITION FOR RULE MAKING

Pursuant to 47 C.F.R. 1.401, Linda Crawford respectfully petitions the FCC to institute a Rule Making proceeding to amend the FM Table of Allotments to add Channel 235C2 at Crosbyton, Texas.

DISCUSSION

Petitioner respectfully submits that the public interest would be served by allocating Channel 235C2 to Crosbyton, Texas, as that community's first aural broadcast transmission service. Crosbyton is an incorporated city with a population in excess of 1,870 people. Crosbyton has its own mayor, Joseph E. Johnston, its own school system, its own post office, its own fire department, its own city hall and a number of local churches.

Petition for Rule Making
Crosbyton, Texas
Page 2

Attached hereto is a channel study confirming that Channel 235C2 can be allocated to Crosbyton, Texas consistent with the FCC's FM separation rules. See revision of FM Assignment Policies and Procedures, 90 FCC 2d 88 (1992).

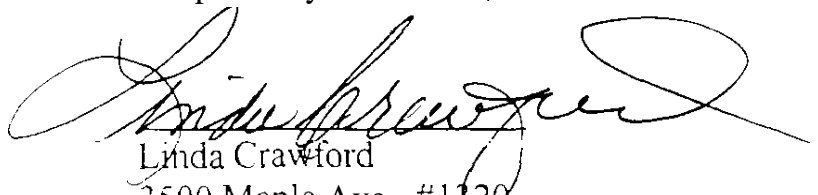
Reference coordinates are:

33 33 12 N
101 0000 W

Should this petition be granted, and Channel 235C2 be allotted to Crosbyton, Texas Petitioner will apply for Channel 235C2, and after it is authorized, will promptly construct the new facility.

The information provided in this Petition for Rule Making is correct and true to the best of my knowledge.

Respectfully submitted,



Linda Crawford
3500 Maple Ave., #1320
Dallas, Texas 75219
(214) 587-0668 Tele

August 28, 2001
Crosbyton

MAPFM search of channel 235C2 (94.9 MHz), at N. 33 33 12, W. 101 0 0

Searching Channel 235C2 (94.9MHz) :

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
KFMX-F	LUBBOCK	TX	233	C1	U	49.5	49.1	267.2°	0.4
KFMX-F	LUBBOCK	TX	233	C1	L	49.5	49.1	267.2°	0.4
KBIM-F	ROSWELL	NM	235	C	U	166.8	154.7	258.1°	12.0
KBIM-F	ROSWELL	NM	235	C	L	166.8	154.7	258.1°	12.0
970724	CANADIAN	TX	235	C1	A	145.2	139.2	10.2°	6.0
DKWTA	ELECTRA	TX	235	C2	U	123.6	118.1	72.2°	5.5
DKYEG	CANADIAN	TX	235	C1	V	160.0	139.2	12.5°	20.6
KOLI	ELECTRA	TX	235	C2	L	121.2	118.1	72.4°	3.1
ALC	BAIRD	TX	236	C1	U	119.5	06.2	131.4°	21.1
KAGT	BAIRD	TX	236	C1	L	119.5	98.2	131.4°	21.3
KAGT	BAIRD	TX	236	C1	C	117.7	96.2	136.0°	19.5
ALC	SNYDER	TX	237	C3	A	58.6	34.8	185.3°	23.8
KFLP-F	FLOYDADA	TX	237	A	L	35.1	34.2	324.6°	0.9

Crosbyton, Texas CH. 235C2 3.16mv

